

REMARKS

Claims 1-5 were pending in the application. Claim 4 has been amended. No claims have been canceled. New claims 6-8 have been added. Support for new claims 6-8 may be found, among other places in paragraphs [0039], [0040] and [0045]. Therefore, claims 1-8 are now pending in the application and resubmitted for reconsideration.

Claim 4 is rejected under 35 U.S.C. 112, first paragraph. The Office Action states that the specification lacks enablement for having a spacer rotate within the hole and having a tacking member. Claim 4 has been amended to clarify the rotation of the spacer and the tacking member. Accordingly, reconsideration and withdrawal of the rejection is requested.

Claims 1-3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,362,187 ("Scalise") in view of U.S. Patent No. 6,616,178 ("Nanbu"). The rejection should be withdrawn because Nanbu cannot preclude patentability of the claimed invention pursuant to 35 U.S.C. § 103(c). Nanbu qualifies as prior art under 35 U.S.C. § 102(e). Pursuant to 35 U.S.C. § 103(c), Nanbu cannot preclude patentability because at the time the invention was made (i.e., the filing date of July 22, 2002 or the priority date of July 23, 2001) both the present application and Nanbu were owned by the same person or subject to an obligation of assignment to the same person (i.e., Takata Corporation). The assignment for the present application is recorded at the United States Patent and Trademark Office at Reel/Frame 012908/0383. Reconsideration and withdrawal of the rejection is respectfully requested.

New claims 6-8 depend from claim 1 and are allowable therewith, for at least the reasons set forth above, without regard to the further patentable limitations set forth in these dependent claims. These limitations include, for example, "a toothed washer configured to prevent the spacer from being removed from the hole of the fabric sheet," as called for in claims 6 and 7. Further by way of example, the cited references do not disclose, teach or suggest that "at least one of the spacer front body and the spacer rear body include a pair of hooks, each hook being provided with a pawl," as called for in claim 8. Allowance of claims 6-8 is respectfully requested.

Favorable reconsideration of the application, as amended, is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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